

REMARKS

This Amendment is submitted in connection with the interview with the Examiner.

During the interview the Examiner indicated that claim 5 contains an allowable subject matter; however claim 1 could not be allowed in its original form, but could be allowed only if it included the features of claim 5.

The Examiner's highly beneficial cooperation during the interview has been gratefully acknowledged.

With the present Amendment, applicants have amended claim 1 to more clearly define the present invention, and submitted a second independent claim 14 which substantially corresponds to claim 1 but defines a hand power tool, instead of an electric hand power tool.

It is respectfully submitted that the new features of the present invention as defined in claims 1 and 14 are not disclosed in the prior art. When the hand power tool is designed in accordance with the present invention, the auxiliary handle collects and carries two air streams, including

first air stream which has left the motor housing before and the second air stream which has left the protective hood. These two air streams carry a motor noise plus a terrible noise of the running saw blade, and they are led into the auxiliary handle formed as a pipe with a wide diameter, making the air decelerating to a lower speed over a long arch-like way, so as to serve as a very effective muffler for both those noises.

The solution proposed in the German patent document DE '011 just takes the motor cooling air, with a high speed to the saw blade to cool it there. The motor noise is not really muffled by that, but a mix of the motor noise and a noise of the running saw blade is led over a funnel-like short pipe directly outside, as a trumpet, thus amplifying the noise.

It is believed to be clear that the new features of the present invention which are now defined in claims 1 and 14 are not disclosed in this reference. The reference also does not contain any hint or suggestion for such features. Therefore, the present invention as defined in claims 1 and 14 can not be considered as anticipated by the German reference or as obvious from it.


In view of the above presented remarks and amendments, it is respectfully requested to allow claims 1 and 14.

As for the dependent claims, these claims depend on claim 1, they share its presumably allowable features, and therefore they should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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